

PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Safety and Enforcement Division
Rail Transit Safety Branch

Resolution ST-177
December 17, 2015

RESOLUTION

RESOLUTION ST-177 GRANTING THE SAN
FRANCISCO BAY AREA RAPID TRANSIT DISTRICT A
PERMANENT VARIANCE FROM GENERAL ORDER
143-B, SECTION 9.06 c(1) CLEARANCES

SUMMARY

The Federal Americans with Disabilities Act (42 U.S.C. § 12131, et seq.) and the Federal Transit Administration (49 CFR Parts 38.63 & 38.85) require transit agencies to take steps to ensure that visually impaired patrons do not fall from the elevated platform to the trackway below in the space between the train's coupled vehicles.

This Resolution grants the San Francisco Bay Area Rapid Transit District's request for a permanent variance to General Order 143-B, Section 9.06 c (1) Side Clearance requirements, for all future high-level station platforms on the eBART system. This Resolution allows eBART to install Between-Car-Barriers on the station platform edges to comply with 49 CFR Parts 38.63 and 38.85.

BACKGROUND

The San Francisco Bay Area Rapid Transit District (BART) is a high-speed inter-city and metropolitan rail transit system. It consists of 44 stations and 104 miles of line in four counties. It provides transit service to an average of 365,000 passengers per day.

The eBART expansion project calls for diesel multiple unit (DMU) train service to be implemented from the existing BART Pittsburg/Bay Point Station, where patrons will transfer to or from the eBART system trains from an expanded station platform. This first phase of the project will proceed east along the Highway 4 corridor to the city of Antioch to the Hillcrest Avenue station. The plan includes an option for a station at Railroad Avenue in Pittsburg. Future expansions in this direction could connect the eBART service to Oakley, Brentwood, Byron, and beyond to Tracy and Stockton.

By letter dated April 13, 2015, BART requested a permanent variance to General Order (GO) 143-B, Section 9.06 c (1), to deviate from the minimum thirty (30)-inch side clearance requirements, to install Between-Car-Barriers (BCBs) at all high-level station platforms on the eBART system. BART proposes to implement operational procedures and compliance checks to monitor operator berthing compliance.

Title 49 CFR Part 38.85 provides in pertinent part:

Where vehicles operate in a high-platform, level-boarding mode, devices or systems shall be provided to prevent, deter, or warn individuals from inadvertently stepping off the platform between cars. Appropriate devices include, but are not limited to, pantograph gates, chains, motion detectors or other suitable devices.

BART intends to install the BCBs at the edge of the station platforms to prevent patrons from falling from the elevated platform between the train's coupled vehicles during station stops.

GO 143-B, Safety Rules and Regulations Governing Light-Rail Transit, Section 9.06 states:

CLEARANCES. C. The minimum side clearance to obstructions higher than eight (8) inches above top-of-rail and the clearances between LRVs and streetcars located on parallel tracks used exclusively for light rail transit operations shall be governed by the following requirements:

(1) On station platforms, in yards and along shop aisles, and other

locations, including emergency walkways, where passengers, employees, or other persons are permitted or required to be while trains are in motion, the minimum clearances shall be thirty (30) inches...

DISCUSSION

To comply with 49 CFR Part 38, BART requests a permanent variance from GO 143-B Section 9.06 (1) for all future eBART high-level station platform projects and to install BCBs on these platforms. The BCBs are designed to prevent station patrons from falling to the trackway below in the spaces between the train's coupled vehicles during station stops. In addition, the BCB can be used by the visually impaired patrons as a doorway finder by feeling the ends of the BCB as a pacing marker by which to position themselves at doorways for berthed trains. The proposed BCBs will be positioned providing less than the 30-inch side clearance required by Section 9.06 c (1) of GO 143-B.

BART's request letter, dated April 13, 2015, specified that BART plans to install BCB, non-rigid plastic bollards, on all platforms of the eBART system to prevent the visually impaired patrons from falling into the trackway through the opening of the vehicles that are coupled. Since the maximum consist is composed of three vehicles, there will be two locations on each side of the platform where BCBs will be constructed to line up with the opening between the coupled vehicles.

The eBART vehicle operators will then be required to berth train consists at specified locations along the platforms to align the train with the BCB locations. BART will implement operational procedures and compliance checks to monitor operator berthing compliance.

Staff notes that similar waivers have been issued to other rail transit system operators for this purpose. Staff has reviewed and analyzed BART's request and BCB proposal for its eBART system and believes granting the permanent variance will not have an adverse effect on system safety.

NOTICE

On November 13, 2015, this Resolution was published on the Commission's Daily Calendar.

COMMENTS

The draft resolution of the Safety and Enforcement Division in this matter was mailed in accordance with Section 311 of the Public Utilities Code and Rule 14.2(c) of the Commission's Rules of Practice and Procedure. No comments were received.

FINDINGS

1. By a letter dated April 13, 2015, BART requests a permanent variance from GO 143-B Section 9.06 (1) for all future eBART high-level station platforms.
2. BART proposes to install BCBs on its eBART platforms to comply with the Federal Americans with Disabilities Act (42 U.S.C. § 12131, et seq.) and 49 CFR 38.85 requirements imposed on rail transit systems.
3. BART asserts that its BCBs will significantly mitigate the hazard of visually impaired patrons falling off the station platform into the space between the train's coupled vehicles.
4. BART will implement operational procedures and compliance checks to monitor operator berthing compliance.
5. The Commission has issued similar waivers to other rail transit systems for the same purpose.
6. Granting the permanent variance from GO 143-B and installing BCBs on its eBART system station platforms will improve system safety for visually impaired patrons and will not otherwise have a significant adverse effect on system safety.

THEREFORE, IT IS ORDERED THAT:

1. The San Francisco Bay Area Rapid Transit District's request, dated April 13, 2015, for a permanent variance to General Order 143-B,

Section 9.06 c (1) Side Clearance requirements for all future eBART high-level station platforms for the installation of Between-Car-Barrier units to meet the requirements of 49 CFR Part 38, is granted.

2. The Between-Car-Barrier installation shall be limited to the future eBART high-level platforms.
3. The San Francisco Bay Area Rapid Transit District will implement operational procedures and compliance checks to monitor eBART vehicle operator berthing compliance.
4. This Resolution is effective today.

I certify that the foregoing resolution was duly introduced, passed, and adopted by the Commission at its regularly scheduled meeting on December 17, 2015. The following Commissioners voted favorably thereon:

TIMOTHY J. SULLIVAN
Executive Director